e-1-100

BEFORE THE JUDICATURE OF HON'BLE CHHATTISGARH HIGH COURT

AT BILASPUR

W.P. 1621 /2001

(6)

(WRIT UNDER ARTICLE 226/227 CONSTITUTION OF INDIA)

PETITIONERS: 1. Sanjay Kumar Diwan
s/o Late Shri N.K. Diwan
aged about 42 years, Tahasildar,
Dhamadha District Durg (C.G.)R/o
Q.N.206, New Housing Board Complex
Opp. New Bus stand, Durg (C.G.)

P.R. No. 1223/01
Presented by Shri Rakesh Sethy
dated 29.8.2001

V E R S U S

RESPONDENTS : 1. State of Chhattisgarh
Through Chief Secretary Raipur
2. Lok Ayukta
Through Secretary, Bhopal (M.P.)
old Sachiwalaya, Bhopal (M.P.)
3. Superintendent Police,
Special Police Establishment
Lok Ayukta, Raipur (C.G.)
4. Shri Anil Pathak, Inspector of
Police Special Police Establish-
ment Lok Ayukta, Raipur Inves-
ting Officer

WRIT PETITION UNDER ARTICLE 226,227 CONSTITUTION OF INDIA.

Above named petitioner respectfully submit as under :-

..2..

(129)
(128)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 1621/01 सन् 200

आदेश पत्रक (पूर्वानुबन्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
7/1/02	Court Collapse. 7-1-2002 Shri Sanjay Kumar Diwan, learned counsel for the petitioner Shri Rajeev Shrivastava, learned ~~GA~~ PL for the State. Heard. In terms of order passed today in W.P. No. 1491/2001, this petition is also disposed of. Sd/- Chief Justice	

Gr. PRJ—FS/350—12/2000—50,000.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(118)

आदेश पत्रक

मामला क्रमांक W.P.No.1491/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

07/01/2002 :-

Shri Sanjay Kumar Dewan, learned counsel for the petitioner.

Shri Rajiv Shrivastava, learned counsel for the State.

Heard.

A report was lodged on 02/03/2001 against the petitioners. ~~Some~~ Translated copy from Hindi into English has been submitted by respondent No.4 Shri Anil Pathak Inspector of Police, Special Police Establishment, Lokayukta, Raipur as Investigating Officer.

The main relief sought in this petition is for quashing the investigation directed against the petitioners and 6 (Six) others.

I have carefully perused the report. Various allegations have been made against the petitioners and others under various provisions of law regarding corruption. In the facts and circumstances of such a case it will not be proper for this Court in exercise of its extra ordinary jurisdiction under Article 226 of the Constitution of India to interfere with the investigation. In my view it is for the petitioner to seek remedy before any appropriate authority. Since this matter is now spending before Lokayukta, in my view it is open to the petitioner to approach the said authority for redressal

(पीछे देखिये)

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

of his grievance. At this stage in my view it will not be fair to interfere with the investigation on the basis of the report stated above.

Accordingly this petition is rejected.

Sd/-
W.A.SHISHAK
CHIEF JUSTICE

ICE

GRPRJ—FS/7